



U.S. Department
of Transportation

**National Highway
Traffic Safety
Administration**

ODI RESUME

Investigation: AQ 12-001
Prompted by:
Date Opened: 05/14/2012
Investigator: Joshua Neff
Approver: Frank Borris
Subject: Southern Honda Powersports

Date Closed: 05/13/2013
Reviewer: Jennifer Timian

MANUFACTURER & PRODUCT INFORMATION

Manufacturer: Honda (American Honda Motor Co.)
Products: Various Honda motorcycles covered under 10 recalls
Population: 219,446

Problem Description: Purported sales and deliveries by dealer Southern Honda Powersports of new motorcycles containing unremedied safety defects or failures to comply with federal motor vehicle safety standards.

ACTION / SUMMARY INFORMATION

Action: Close Audit Query

Summary:

NHTSA opened Audit Query (AQ) 12-001 to determine whether Southern Honda Powersports (Southern Honda) of Chattanooga, Tennessee, had complied with the requirements of the National Traffic and Motor Vehicle Safety Act, as amended, 49 U.S.C. Chapter 301 (Safety Act) and its implementing regulations. The Safety Act requires, among other things, that a motor vehicle or equipment manufacturer notify its dealers of defects related to motor vehicle safety and non-compliances with federal motor vehicle safety standards. In turn, a dealer may not sell and deliver a new vehicle subject to a recall unless the recall remedy has been performed. (see 49 U.S.C. 30120(i); 49 C.F.R. 573.11) NHTSA issued an information request to Southern Honda on May 14, 2012 to which they responded on July 6, 2012.

NHTSA's inquiry led it to believe that Southern Honda had failed to complete the requirements of five recalls that required inspections and/or repairs of motorcycles prior to their sale or delivery. NHTSA believes that 329 motorcycles affected by recalls had not been inspected and/or repaired prior to their sale and delivery between 2007 and 2012. The agency is unaware of any deaths or injuries involving these vehicles. NHTSA concluded that it had a potential civil penalty claim against Southern Honda for violations of the Safety Act. Southern Honda denied any violations of the Safety Act. In order to settle this matter, Southern Honda agreed to pay a civil penalty in the amount of \$125,000, to be paid in five annual installments.

This AQ is closed.